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Attorneys for Defendant FCA US LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BARBARA DRAKE, an individual,

Plaintiff,

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FCA US LLC f/k/a CHRYSLER GROUP, LLC; GRAMMER INDUSTRIES, INC.; DOES 1-10; and ROE CORPORATIONS I - X, inclusive.

Defendants.

Case No. 2:24-cv-02129-GMN-EJY

**STIPULATION TO CONTINUE
DISCOVERY DEADLINES**

(First Request)

Pursuant to LR 26-3, Plaintiff Barbara Drake (“Plaintiff”) and Defendant FCA US LLC (“FCA US”) stipulate to vacate and extend the current discovery deadlines set forth in the Stipulated Discovery Plan and Scheduling Order entered on January 7, 2025 (ECF No. 12). The parties request this extension in order to complete discovery and continue ongoing settlement negotiations. This is the parties’ first stipulation to extend the discovery deadlines.

A. DISCOVERY COMPLETED TO DATE:

1. Plaintiff served her Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on

February 6, 2025.

2. Defendant FCA US LLC served its Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on January 17, 2025.
 3. Defendant FCA US LLC served their First Set of Requests for Production of Documents to Plaintiff on February 14, 2025.
 4. Defendant FCA US LLC served their First Set of Interrogatories to Plaintiff on February 14, 2025.
 5. The parties are coordinating an inspection on the subject vehicle with the necessary experts.
 6. The parties have been in settlement discussions.

**B. DESCRIPTION OF DISCOVERY THAT REMAINS TO BE
COMPLETED:**

1. Plaintiff's responses to discovery served by Defendant FCA US LLC.
 2. Subpoenas to Plaintiff's treating physicians once Plaintiff serves her responses to discovery.
 3. Independent Medical Examination ("IME") on Plaintiff expected to be performed by April 30, 2025.
 4. The parties intend to complete an inspection of the subject vehicle by April 30, 2025.
 5. Defendant FCA US LLC intends to take the deposition of Plaintiff, Barbara Drake.
 6. Plaintiff intends on serving discovery on Defendant FCA US LLC.
 7. Plaintiff intends to take the deposition of Defendants Fed. R. Civ. P. 30(b)(6) witness(es).
 8. Defendant FCA US LLC intends to take the deposition of Plaintiff's treating physicians.
 9. The parties intend to take expert depositions.

C. REASON WHY DISCOVERY WAS NOT COMPLETED:

This is a complex product liability case with several potential causative issues,

1 including design issues related to the headrest.

2 Plaintiff did not serve FCA US with her initial disclosures until February 6, 2025.
 3 Eight (8) days later, on February 14, 2025, FCA US served Plaintiff with a first set of
 4 interrogatories and requests for production. Plaintiff's discovery responses are still
 5 outstanding. Defendants are in need of this information for upcoming depositions and
 6 expert reports, which are currently due by March 20, 2025. *See* ECF No. 12 at p. 4.

7 The parties have stipulated to extend the current discovery deadlines to provide time
 8 to complete written discovery and inspections on the subject vehicle that the experts will
 9 need to formulate their opinions that are to be included in their reports. *See e.g.*, Fed. R.
 10 Civ. P. 26(a)(2)(B); ECF No. 12 at p. 4 (initial expert disclosures due March 20, 2025).
 11 Further, the parties have been in settlement negotiations, which is why the parties waited to
 12 seek an extension in hopes of resolving this matter. Settlement discussions are still
 13 ongoing. The parties submit these reasons constitute good cause under LR 26-3 for
 14 extending the current discovery deadlines.

15 The parties do not bring this stipulation for purpose of delay.

16 **D. CURRENT DISCOVERY AND PRE-TRIAL DEADLINES:**

- | | |
|---|-----------------------|
| 1. Discovery Cut-Off Date: | <u>May 19, 2025</u> |
| 2. Amending the Pleadings and Adding parties: | <u>Closed</u> |
| 3. FRCP 26(a)(2) Disclosure of Initial Experts: | <u>March 20, 2025</u> |
| 4. FRCP 26(a)(2) Disclosures of Rebuttal Experts: | <u>April 21, 2025</u> |
| 4. Dispositive Motions: | <u>June 18, 2025</u> |
| 5. Pre-Trial Order: | <u>July 18, 2025</u> |

23 **E. ~~PROPOSED~~ SCHEDULE FOR COMPLETING REMAINING**
 24 **DISCOVERY:**

- | | |
|---|------------------------|
| 1. Discovery Cut-Off Date: | <u>August 19, 2025</u> |
| 2. Amending the Pleadings and Adding parties: | <u>Closed</u> |
| 3. FRCP 26(a)(2) Disclosure of Initial Experts: | <u>June 20, 2025</u> |
| 4. FRCP 26(a)(2) Disclosures of Rebuttal Experts: | <u>July 21, 2025</u> |

1 4. Dispositive Motions:

September 18, 2025

2 5. Pre-Trial Order:

October 20, 2025

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4 This Stipulation is made in good faith and not for the purpose of delay.

5 DATED this 11th day of March, 2025.

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7 **KLEIN THOMAS LEE & FRESARD**

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29 *Attorney for Plaintiff*

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